

Box SEQ / SEQ TOP #4

Docket No.: 5616/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

In re Application of:

IMMUNE ACTIVATION BY DOUBLE-STRANDED POLYNUCLEOTIDES

Serial No.: 09/151,612                      Group Art Unit: 1643  
Filed: September 11, 1998              Examiner: Not Yet Known  
For: Dr. Leonard D. Kohn, Koichi Suzuki, Atsumi Mori, Ken Iishi, Dennis M. Klinman, John M. Rice

New York, NY 10166-0143

Assistant. Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

LETTER TRANSMITTING DECLARATION, AND FEE

Sir:

In response to the Notice to File Missing Parts of Application-Filing Date Granted, dated September 29, 1998 (copy enclosed), enclosed herewith are a Combined Declaration and Power of Attorney.

Please make the Declaration and Power of Attorney of record in the above-identified application.

The Commissioner is hereby authorized to charge \$130.00 and any additional fees or credit any overpayment to Deposit Account No. 05-0521 for the surcharge for the above-identified application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Gerard P. Norton  
Registration No. 36,621  
Attorney for Applicants  
Rogers & Wells  
200 Park Avenue  
New York, New York 10166  
(212) 878-3148

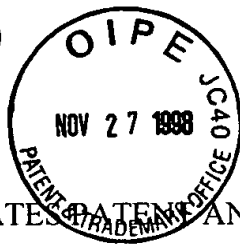
MAILING ADDRESS:

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200 Park Avenue  
New York, NY 10166-0153  
(212) 878-3148

I hereby certify that this paper is being  
deposited this date with the U.S. Postal  
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Assistant Commissioner of Patents, Box Missing Parts,  
Washington, D.C. 20231.



Gerard P. Norton      Date  
Reg. No. 36,621



#3

Docket No.: 5616/3

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In re Application of:

IMMUNE ACTIVATION BY DOUBLE-STRANDED POLYNUCLEOTIDES

Serial No.: 09/151,612

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Filed: September 11, 1998

Examiner: Not Yet Known

For: Dr. Leonard D. Kohn, Koichi Suzuki, Atsumi Mori, Ken Iishi, Dennis M. Klinman, John M. Rice,

New York, NY 10166-0143

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

**STATEMENT REGARDING SEQUENCE SUBMISSION DATA**

This Statement is submitted in response to the September 29, 1998 Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures. If any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-0521.


The undersigned hereby states that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c), (e), (f), (g), (b), or (d), respectively, are the same and include no new matter.

Respectfully submitted,



Gerard P. Norton  
Registration No. 36,621  
Attorney for Applicants  
Rogers & Wells  
200 Park Avenue  
New York, New York 10166  
(212) 878-3148

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner of Patents, Box Missing Parts, Washington, D.C. 20231.



Gerard P. Norton      Date  
Reg. No. 36,621



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/151,612 09/11/98 KOHN

E 5616/3

0232/0929

ROGERS & WELLS  
200 PARK AVENUE  
NEW YORK NY 10166-0153

NOT ASSIGNED

1643

DATE MAILED:

09/29/98

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☒ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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APPLICATION NUMBER	PAYING/RECEIPT NO.	NAME OF APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/151,612 09/11/98 KOHN

5616/3

023278

NOT ASSIGNED

ROGERS & WELLS  
200 PARK AVENUE  
NEW YORK NY 10166-0153

1643

**DATE MAILED:**

09/29/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130 79

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.
- \$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.
- \$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.
- \$ \_\_\_\_\_ for multiple dependent claim surcharge.

***Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.***

- ☒ 3. The oath or declaration:
- ☐ is missing or unexecuted.
  - ☐ does not cover the newly submitted items.
  - ☐ does not identify the application to which it applies.
  - ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.  
*See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."*
- ☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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